

**BOARD OF NURSING
MEETING MINUTES
FEBRUARY 14, 2013**

PRESENT: Rachelle Lancaster, Julie Ellis, Maria Joseph, Julia Nelson, Lillian Nolan, Carol Ott, Jeffrey Miller, Gretchen Lowe

ABSENT: Kay Coppens

STAFF: Dan Williams, Executive Director; Pamela Stach, Legal Counsel; Matthew Niehaus, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

CALL TO ORDER

Julia Nelson, Chair, called the meeting to order at 9:18 a.m. A quorum of eight (8) members was present.

ADOPTION OF AGENDA

Amendments to the Agenda

- Item “W-1” (closed session) **ADD** the agenda item titled “Voll”
- Item “O-2” (closed session) **REMOVE** the agenda item titled “Patrick M. Lavoie, R.N. – Requesting Reinstatement of Full License”

MOTION: Jeffrey Miller moved, seconded by Carol Ott, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 10, 2013

- Under Election of Officers **CHANGE** the “Secretary: Maria Joseph” to “Secretary: Lillian Nolan”

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to approve the minutes of January 10, 2013 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Endorsements/Examinations/Credentialing Liaison(s)

APPOINTMENT: Julia Nelson appointed Rachelle Lancaster to the position of Endorsements/Examinations/Credentialing Liaison.

MOTION: Carol Ott moved, seconded by Gretchen Lowe, that future endorsement, examination, and credentialing cases be summarized, sorted, and reference the applicable rule for the applicant’s situation prior to being sent to the liaison. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, to place, on the March agenda, an item for Board discussion of whether or not military candidates should be required to take the L.P.N. NCLEX examination. Motion carried unanimously.

Legislative Committee

MOTION: Gretchen Lowe moved, seconded by Jeffrey Miller, to create a legislative committee composed of Jeffrey Miller (Chair), Rachelle Lancaster, and Lillian Nolan to have a position on the agenda. Motion carried unanimously.

Practice/Discipline Committee:

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, that Julia Nelson withdraws from the Practice/Discipline Committee. Motion carried unanimously.

DLSC Monitoring Liaisons

APPOINTMENT: Julia Nelson appointed Kay Coppens and Jeffrey Miller to the position of DLSC Monitoring Liaisons.

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, that DLSC Monitor contact the DLSC Monitoring Liaison when there is an appearance scheduled. Motion carried unanimously.

REPORT OF PRACTICE COMMITTEE

BOARD MOTION: Julie Ellis moved for the adoption of the Committee's recommendations. The Board adopts by unanimous consent.

Discussion and Review of BON Position Papers currently on the DSPS website

Delegation

COMMITTEE MOTION: Julia Nelson moved, seconded by Julie Ellis, to pull the Delegation position paper from the DSPS website. Motion carried unanimously.

Pain Management

COMMITTEE MOTION: Julia Nelson moved, seconded by Maria Joseph, to keep the position paper on Pain Management on the DSPS website with a new revision date of 2/14/2013. Motion carried unanimously.

COMMITTEE MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to pursue working with the Medical Examining Board, Pharmacy Examining Board,

and Dentistry Examining Board to create a joint position statement on pain management. Motion carried unanimously.

Military Nurse School

COMMITTEE MOTION: Lillian Nolan moved, seconded by Maria Joseph, to pull the Military Nurse School position paper from the DSPS website. Motion carried unanimously.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

BOARD MOTION: Carol Ott moved for the adoption of the Committee's recommendations. The Board adopts by unanimous consent.

Board of Nursing Position Statement on Appealing Academic Decisions

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to approve the position statement on appealing academic decisions as amended. Motion carried unanimously.

NLNAC Report of Initial Accreditation Site Visit to Lac Courte Oreilles Ojibwe Community College

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, that La Courte Oreilles Ojibwe Community College send an updated NLNAC accreditation report to the Board of Nursing. Motion carried unanimously.

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, that DSPS staff send a letter to La Courte Oreilles Ojibwe Community College indicating that they need to change their documents to reflect that they are not a Board-approved school. Motion carried unanimously.

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, that a Board of Nursing and a DSPS staff member be assigned to accompany the NLNAC site visitors on their visit for purposes of granting initial Board of Nursing approval. In the event the NLNAC visit does not occur within six months of the date of this meeting, the Board of Nursing will send a delegate and DSPS staff member to complete a site visit. Motion carried unanimously.

Request for Approval of Educational Administrator at Wisconsin Indianhead Technical College

COMMITTEE MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to approve Chaudette Miller as the educational administrator at

Wisconsin Indianhead Technical College. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to approve the rules related to N9 Nurse Licensure Compact. Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Gretchen Lowe, to accept the Scope Statement to look at N2 and N3 relating to licensure. Motion carried unanimously.

DELEGATION OF DSPS STAFF TO ATTEND THE NCSBN IT CONFERENCE

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to designate Matthew C. Niehaus as the Board's representative to attend the NCSBN IT Conference in Atlantic Beach, FL. Motion carried unanimously.

WNA REQUEST FOR BOARD MEMBER PRESENTATION AT NURSES DAY AT THE CAPITOL, MARCH 5, 2013

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, to designate Rachelle Lancaster, Maria Joseph, Dan Williams, and Gretchen Lowe as the Board's representatives to attend Nurses Day at the Capitol on Tuesday March 5, 2013 at the Monona Terrace. Motion carried unanimously.

CLOSED SESSION

MOTION: Lillian Nolan moved, seconded by Carol Ott, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Roll Call Vote: Julie Ellis-yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; Julia Nelson-yes; Lillian Nolan-yes; Jeffrey Miller-yes; Maria Joseph-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:10 p.m.

Jeffrey Miller and Lillian Nolan left the room at 12:20 p.m.

RECONVENE TO OPEN SESSION

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:00 p.m.

DISCUSSION OF BOARD MEETING PROCESS (TIME ALLOCATION, AGENDA ITEMS)

MOTION: Julie Ellis moved, seconded by Rachelle Lancaster, to hold a meeting on April 11, 2013. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Gretchen Lowe moved, seconded by Carol Ott, to affirm all motions made in closed session. Motion carried unanimously.

APPLICATION REVIEW

Joy Amundson - A.P.N.P. Application Review

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to grant Joy Amundson's application for licensure. Motion carried.

Rachelle Lancaster abstained from voting in the matter of Joy Amundson.

Tiffany Leavitt – L.P.N. Examination Review

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to grant Tiffany Leavitt's request to sit for the examination. Motion carried.

Rachelle Lancaster abstained from voting in the matter of Tiffany Leavitt.

Linde Vogel – R.N. Examination Review

MOTION: Julie Ellis moved, seconded by Carol Ott, to issue an intent to deny Linde Vogel's application. **Reason for Denial:** Applicant has prior convictions that may be substantially related to the practice of nursing. The Board requests that Applicant receive a psychological evaluation from a Board-approved forensic psychologist. Motion carried.

Rachelle Lancaster abstained from voting in the matter of Linde Vogel.

ADMINISTRATIVE WARNINGS

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to issue an administrative warning in the matter of case number 12 NUR 424, 12 NUR 427, 12 NUR 457, and 12 NUR 511. Motion carried unanimously.

MONITORING

Wendy Aguirre, R.N. – Requesting Reinstatement of Full Licensure

MOTION: Gretchen Lowe moved, seconded by Julie Ellis, to deny Wendy Aguirre's request for full licensure. **REASON FOR DENIAL:** There have not been any submitted work reports since the date of the original order. The original order requires work reports for *at least* two years from the date of the order. The order dated June 21, 2012 remains in full force and effect. Motion carried unanimously.

Jennifer Flynn, R.N. – Requesting Modification of Order

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to approve Jennifer Flynn's request for modification of order with regard to supervision as long as licensee is employed by Midwest Dialysis or Fresenius at her current facility. The Board denies Jennifer Flynn's request for reduction in screens. **REASON FOR DENIAL:** Insufficient time under order. Motion carried unanimously.

Angela M. Leonard, R.N. – Requesting Modification of Order

MOTION: Rachelle Lancaster moved, seconded by Julie Ellis, to deny Angela M. Leonard's request for modification of order. **REASON FOR DENIAL:** Insufficient continuous time under order and failure to attend AA/NA meetings twice a week, as required under section C7 of the order. Motion carried unanimously.

Amanda R. Luedtke, L.P.N. – Reinstatement of Full Licensure

MOTION: Julie Ellis moved, seconded by Rachelle Lancaster, to approve Amanda R. Luedtke's request for full licensure once all requirements are met. Motion carried unanimously.

Sue R. Schindler, R.N. – Requesting Stay of Suspension

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to approve Sue R. Schindler's request for stay of suspension. Motion carried unanimously.

Regina Young, R.N. – Requesting Stay of Suspension

MOTION: Gretchen Lowe moved, seconded by Rachelle Lancaster, to deny Regina Young's request for stay of suspension. **REASON FOR DENIAL:** Insufficient time under Board order. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against Tammy S. Fleming-Markart, L.P.N. (12 NUR 080). Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Carol Ott, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against Jennifer A. Howard, R.N. (12 NUR 156). Motion carried unanimously.

CASE CLOSINGS

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to close the case #12 NUR 604 for No Violation (NV). Motion carried.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to close the case #12 NUR 485 for Prosecutorial Discretion (P5 with a flag). Motion carried.

Lillian Nolan returned to the meeting at 3:10 P.M. and abstained from voting in the matter of 12 NUR 485 and 12 NUR 604.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to close the case #12 NUR 515 for Insufficient Evidence (IE). Motion carried.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to close the case #12 NUR 580 for No Violation (NV). Motion carried.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to close the case #12 NUR 507 for Insufficient Evidence (IE). Motion carried.

Jeffrey Miller returned to the meeting at 3:16 P.M. and abstained from voting in the matter of 12 NUR 485, 12 NUR 604, 12 NUR 515, 12 NUR 580, and 12 NUR 507.

MOTION: Rachelle Lancaster moved, seconded by Maria Joseph, to close the case #12 NUR 442 for No Violation (NV). Motion carried unanimously.

MOTION: Rachelle Lancaster moved, seconded by Jeffrey Miller, to reject the recommended closure and refer case #12 NUR 462 to DLSC. Motion carried unanimously.

APPLICATION ISSUES AND/OR REVIEWS

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to grant a limited license for the sole purpose of taking a nurse refresher course for Beth Richards within 12 months of the date of this meeting. Motion carried unanimously.

Brandon Voll

MOTION: Carol Ott moved, seconded by Gretchen Lowe, to rescind the prior denial in the matter of Brandon Voll. Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISION AND ORDER IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST LINDA A. REDDISH, R.N.

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to indefinitely suspend the Respondent's license in the matter of disciplinary proceedings against Linda A. Reddish, R.N., Respondent – DHA Case # SPS-11-0087/DLSC Case # 11 NUR 289. If Respondent petitions for removal of the suspension, the Board requires a full psychiatric evaluation and a fitness to practice evaluation from both a Board-approved psychiatrist and a Board-approved forensic psychologist. The Respondent must also provide the Board with documentation establishing that she has an unencumbered license in Minnesota. The Board may request an appearance depending upon the results of these evaluations. **REASON FOR VARIANCE:** To be consistent with the Minnesota Board order who initially evaluated and determined appropriate discipline to be an indefinite suspension, as well as the report of the psychiatrist that has clear evidence of a psychiatric disorder. Motion carried unanimously.

MOTION: Gretchen Lowe moved, seconded by Carol Ott, to designate Jeffrey Miller to review, approve, and authorize signature of the final decision and order. Motion carried unanimously.

ADJOURNMENT

MOTION: Jeffrey Miller moved, seconded by Carol Ott, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:37 p.m.